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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/800,093      | 03/05/2001  | Geoffrey B. Rhoads   | P0323               | 3258             |

23735 7590 01/24/2003

DIGIMARC CORPORATION  
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EXAMINER

BLACKMAN, ANTHONY J

ART UNIT PAPER NUMBER

2676

DATE MAILED: 01/24/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Sm

# Office Action Summary

Application No.

09/800,093

Applicant(s)

RHOADS

Examiner

Anthony Blackman

Art Unit

2676



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE three MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on Mar 5, 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some\* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_ 6) ☐ Other: \_\_\_\_\_

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## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over

MOSKOWITZ et al, US Patent No. 5,889,868 in view of MAUNEY et al, US Patent

No. 5,214,757.

3. Consider claim 1. MOSKOWITZ et al disclose watermarking image data acquired by satellite (column 6, lines 9-45); storing the watermarked image in a database (abstract, lines 1-4, and column 2, lines 25-34); and watermarking a/the map(abstract, lines 1-8 and column 2, lines 25-34), however, does not expressly teach or suggest compiling satellite imagery and generating a map therefrom. MAUNEY et al disclose the suggestion of compiling satellite imagery and generating a map therefrom (figure 1, abstract, lines 1-11) and generating a map from the database (figure 1, abstract, lines 1-11). It would have been obvious to one skilled in the art at the time of the invention to utilize the interactive mapping system, including GPS (satellite) and GIS (database) systems of MAUNEY et al with the "...implementations of digital watermarks that are optimally suited to a particular transmission, distribution and storage mediums given the

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nature of digitally-sampled audio, video, and other multimedia works” (column 2, lines 25-31), of MOSKOWQITZ et al because both inventions share similar technological areas relating to receiving, storage, implementing and modifying digitized signals from similar storage/database systems.

4. Consider claim 2. MOSKOWITZ et al as modified meet limitations for claim 1.

MOSKOWITZ et al suggests (abstract, lines 1-8 and column 2, lines 25-34) and watermarking improvements (abstract, lines 1-21 and column 2, lines 25-34), however, does not expressly teach a method of generating a digital map from a database containing data from a plurality of aerial sources. MAUNEY et al teach a method of generating a digital map from a database containing data from a plurality of aerial sources (figure 1, abstract, lines 1-11).

5. Consider claim 3. MOSKOWITZ et al as modified meet limitations for claim 2.

MOSKOWITZ et al suggests the method of claim 2 in which the watermarking encodes, or points to information that is also conveyed with said map in the form of header data (abstract, lines 1-1-8, 15-18, column 2, lines 25-34, 58-61) and it is also well-known in the art to arbitrarily insert visible as well as invisible watermarks.

6. Consider claim 4. MOSKOWITZ et al as modified meet limitations for claim 2.

MOSKOWITZ et al suggests that the watermark permits later identification of the data sources used in generating the map (column 3, lines 44-49).

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7. Consider claim 5. MOSKOWITZ et al as modified meet limitations for claim 2.

MOSKOWITZ et al suggests that the watermark comprises, or serves as a link to, an image identifier (column 3, lines 44-49).

8. Consider claim 6. MOSKOWITZ et al meet limitations for claim 6. MOSKOWITZ et al suggests; that the watermark comprises, or links to, data identifying at least one of the following underlined limitations: component maps used in forming said digital map, the date of digital map creation (column 3, lines 44-49), an identifier corresponding to a person who created the digital map, an identifier corresponding to a person to whom the digital map was provided.

9. Consider claim 7. MOSKOWITZ et al as modified meet limitations for claim 2.

MOSKOWITZ et al suggests the following underlined limitation that the watermark is designed to be lost, or degrade predictably (abstract, lines 18-21 and column 2, lines 62-65 and column 10, lines 1-10), when the map is processed in a particular manner.

10. Consider claim 8. MOSKOWITZ et al suggests a plurality of sets of component map data each [are] encoded with a different watermark (abstract, lines 1-8, column 2, lines 25-34, column 3, lines 35-39 and column 5, lines 59-66) , said watermark encoding, or linking to, meta data associated with each said component map data (abstract, lines 1-8, column 2, lines 25-34, column 3, lines 35-39 and column 5, lines 59-66), however, does not expressly teach or suggest a database storing plural sets of component map data, from which a composite map data can be formed. MAUNEY et al suggests database storing plural sets of component map data, from which a composite map data can be formed. (Figure 1, abstract, lines 1-11). It would have been obvious

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to one skilled in the art at the time of the invention to utilize the interactive mapping system , including GPS (satellite) and GIS (database) systems of MAUNEY et al with the"...implementations of digital watermarks that are optimally suited to a particular transmission, distribution and storage mediums given the nature of digitally-sampled audio, video, and other multimedia works" (column 2, lines 25-31), of MOSKOWQITZ et al because both inventions share similar technological areas relating to receiving, storage, implementing and modifying digitized signals from similar storage/database systems.

### ***Conclusion***

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. WONG, Ping Wah EPO 953938A2 disclose visible and invisible watermarking. MURPHY et al US Patent No. 6,282,362 disclose geographic positioning/imaging including encryption/decryption of digital data (column 6, line 63 to column 7, line 57). LEIGHTON, US Patent No. 5,664,018 discloses watermarking procedures. NARAYANASWAMI et al, US Patent No. 6,504,571 disclose querying digital image archives related to watermarking processing (figure 1, elements 102 and 134, column 1, lines 16-28, column 3, lines 22-58, column 9, lines 33-66). RHOADS, US Patent No. 6,122,403 disclose steganographic encoding and embedding of digital data. NATARJAN WO 99/17537 and BHASKARAN et al EPO 947 953 A2.

11. Any response to this action should be mailed to:

BOX AF

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Commissioner of Patents and Trademarks  
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Any response to this action may be sent via facsimile to either:

(703) 872-9314 (for formal communications marked EXPEDITED PROCEDURE), or

(703) 746-5731 (for informal communications marked PROPOSED or DRAFT).

Hand delivered responses may be brought to:

Sixth floor Receptionist

Crystal Park II

2121 Crystal Drive

Arlington, Virginia.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anthony J. Blackman who may be reached via telephone at (703) 305-0883.

The examiner can normally be reached Monday through Friday between 8:30 A.M. and 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Bella, may be reached at (703)-308-6829

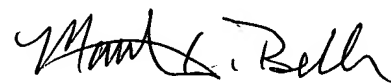
Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.



Anthony J. Blackman

Patent Examiner

1/22/2003.



**MATTHEW C. BELLA**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2600**